

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE  
3M Honeycomb Road, 153' E. of c/o Transverse Avenue  
19 Honeycomb Road  
153B Election District  
153B Council District  
Marvin and Glenda West  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 91-345-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 7 ft. in lieu of the required 10 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners have filed a Petition for a Residential Variance on the subject property, known as 19 Honeycomb Road, zoned D.R. 5.5, and same having been posted and there being no request for a public hearing, this matter is ready for determination. The Petitioners are requesting a variance for a sideyard setback of 7 ft. in lieu of the required 10 ft. for their one story detached single family house to allow for additional living space.

The Petitioners have filed the supporting affidavits, as required by Section 22-26 (b)(1) of the Baltimore County Code. There is no evidence in the file or record to indicate that the variance would adversely affect the health, safety and/or general welfare of the public.

In the opinion of the Zoning Commissioner, it is established that the information and affidavits provide sufficient evidence and facts that the proposed variance request would comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R.

would result in a practical difficulty and/or unreasonable hardship upon the Petitioners. Based upon the information available, the relief should be granted.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of April, 1991 that the Petition for a Zoning Variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 7 ft. in lieu of the required 10 ft., in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein.

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order, however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

JRH:mmn  
encl.  
cc: Peoples Counsel

-2-

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3553

April 10, 1991

Mr. and Mrs. Marvin West  
19 Honeycomb Road  
Baltimore, Maryland 21220

RE: Petition for Residential Zoning Variance  
Case No. 91-345-A

Dear Mr. and Mrs. West:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,  
J. Robert Haines  
Zoning Commissioner

JRH:mmn  
encl.  
cc: Peoples Counsel

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

91-345-A

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1802.3.B (2)(1) to permit a side yard setback of 7 ft. in lieu of the required 10 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (Indicate hardship or practical difficulty):

- (1) Back kitchen wall cannot be moved because of adjoining porch.
- (2) Kitchen wall cannot be moved, because of furnace room & adjoining bathroom.
- (3) Front living room wall cannot be moved because of adjoining front porch.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

(Type or Print Name)

Signature

Address

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of MARCH 1991, that the subject matter of this petition be posted on the property on or before the 20th day of MARCH, 1991.

151  
ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED,

IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_, 19\_\_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reported, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 109, County Office Building in Towson, Baltimore County, on the \_\_\_\_ day of \_\_\_\_, 19\_\_, at \_\_\_\_ o'clock, \_\_\_\_ P.M.

ORDER RECEIVED FOR FILING

Date

By

ZONING COMMISSIONER OF BALTIMORE COUNTY

339

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

91-345-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/so presently or upon settlement will reside at 19 Honeycomb Rd. Middle River, Md 21220 (Address)

That based upon personal knowledge, the following are the facts upon which I/we have the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

WE HAVE NO OTHER CHOICE BUT TO REQUEST A VARIANCE TO PERMIT A SIDEYARD SETBACK OF 7 FEET IN LIEU OF THE REQUIRED 10 FEET.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Affiant (Handwritten Signature) Affiant (Handwritten Signature)  
Affiant (Printed Name) Affiant (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6th day of Feb, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Feb 6, 1991  
DATE

Notary Public

My Commission Expires:  
Feb. 1, 1993

91-345-A

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 151

Date of Posting: 3/10/91

Posted for: Haines

Petitioner: Haines

Location of property: 19 Honeycomb Rd, Middle River, Md

Location of sign: 19 Honeycomb Rd, Middle River, Md

Remarks: Haines

Posted by: Haines

Number of Signs: 1

Date of return: 3/12/91

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number

3/10/91

PUBLIC HEARING FEE

ADVERTISING FEE

REPORTING FEE

TOTAL

LAST NAME OF OWNER: WEST

receipt

Please Make Checks Payable To: Baltimore  
0-0040022MICHC  
\$40.00  
NEXT BUSINESS DAY

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3553

March 12, 1991

Marvin and Glenda West  
19 Honeycomb Road  
Baltimore, Maryland 21220

Re: CASE NUMBER: 91-345-A

LOCATION: 3M Honeycomb Road, 153' E of c/o Transverse Avenue  
19 Honeycomb Road

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before March 20, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is April 4, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reporting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your order to be held and incur a \$50.00 charge. Please be advised that the order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. G. Stephens  
(301) 887-3391

File Copy

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning  
111 West Chesapeake Avenue  
Towson, MD 21204  
887-3353  
March 26, 1991

Mr. & Mrs. Marvin West  
19 Honeycomb Road  
Middle River, MD 21220

RE: Item No. 339, Case No. 91-345-A  
Petitioner: Marvin West, et ux  
Petition for Residential Variance

Dear Mr. & Mrs. West:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

*James E. Dyer*  
James E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning  
111 West Chesapeake Avenue  
Towson, MD 21204  
887-3353

Your petition has been received and accepted for filing this  
4th day of March, 1991.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

*Julie Winiarski*  
Julie Winiarski  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Marvin West, et ux  
Petitioner's Attorney:

Baltimore County Government  
Fire Department  
301 East Loper Road, Suite 901  
Towson, MD 21204-5809  
MARCH 26, 1991  
1-800-887-4504

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: MARVIN WEST  
Location: #19 HONEYCOMB ROAD  
Item No.: 339 Zoning Agenda: MARCH 19, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *James E. Dyer* Noted and Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JK/KEK

Received  
3/27/91

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 14, 1991  
FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting  
for March 19, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 327, 334, 335, 336, 338, 339 and 345.

For Item 337, a County Review Group Meeting may be required for these additions.

For Item 342, a County Review Group Meeting is required for this site.

For Item 343, the previous minor subdivision comments supplied for this site will apply.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RWB:s

CASE NUMBER 91-345-A



Front View  
19 Honeycomb Rd 339



BACK VIEW  
19 Honeycomb Rd 339

PETITIONER'S EXHIBIT # 2

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 19 Honeycomb Rd see pages 5 & 6 of the CHECKLIST for additional required information

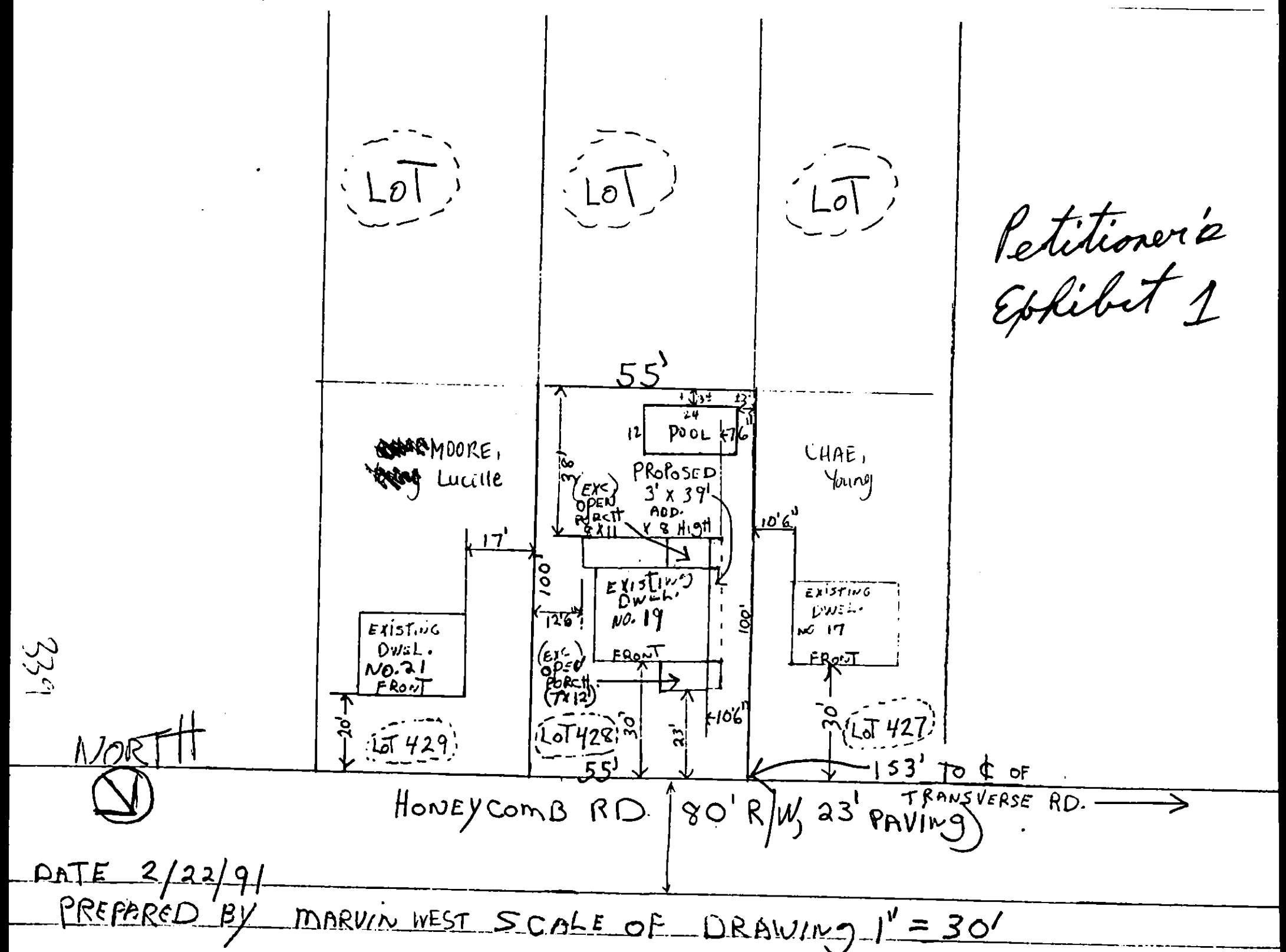
Subdivision name: VICTORY VILLAGE  
plat book: 25, folio: 101, lot: 118, section: 1

OWNER: Marvin & G. B. West

LOCATION INFORMATION  
Councilmanic District: 8  
Election District: 15  
1"=200' scale map:  
Zoning: DR 5.5  
Lot size: 5580 acreage square feet  
Public private  
SEWER: ☐  
WATER: ☐  
Chesapeake Bay Critical Area: ☒  
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!  
reviewed by: ITEM #: CASE#:

North  
date: 2/22/91 Scale of Drawing: 1"=30'  
prepared by: J. West







# BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING PHOTOGRAPHIC MAP

SCALE  
1" = 200' ±

LOCATION  
POPLAR

DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

SHEET  
N.E.  
5-H

91-345-A